

FILED

NOV 25 2019

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

U. S. DISTRICT COURT
EASTERN DISTRICT OF MO
ST. LOUIS

UNITED STATES OF AMERICA,

Plaintiff,

v.

GREGORY VIETH,

Defendant.

4:19CR00981 RLW

INFORMATION

COUNT 1

(Conspiracy to Defraud)
18 U.S.C. 371

The United States Attorney charges that:

A. CONSPIRACY

1. Beginning on or about February 6, 2014 and continuing through on or about February 28, 2019, in the Eastern District of Missouri and elsewhere, the defendant,

GREGORY VIETH,

and persons known and unknown to the Grand Jury did unlawfully, willfully, and knowingly combine, conspire, and agree with persons known and unknown to the grand jury to commit the following offenses against the United States:

- a. to execute, and attempt to execute a scheme to defraud a health care benefit program and to obtain by false and fraudulent representations, money owned by and under the control of a health care benefit program, in connection with the

delivery and payment of health care benefits, items, or services, in violation of Title 18, United States Code, Section 1347;

- b. to make materially false, fictitious, and fraudulent statements and representations to a federal agency or department, in violation of Title 18, United States Code, Section 1001(a)(2);
- c. to embezzle, steal, purloin, and knowingly convert to his use, money of the United States, in violation of Title 18, United States Code, Section 641; and,
- d. to engage in a scheme to defraud the Social Security Administration, in violation of Title 42, United States Code, Section 408(a)(3).

B. OBJECT OF THE CONSPIRACY

2. The object of the conspiracy was for the defendant, **GREGORY VIETH**, and persons known and unknown to the Grand Jury to achieve a common goal, that is: to obtain money from private health and disability insurance companies and the Social Security Administration by making false statements regarding defendant's medical condition and his level of physical functioning.

C. MANNER AND MEANS OF THE CONSPIRACY

3. It was a part of the conspiracy that the defendant and others would by deceit, craft, trickery and dishonest means, defraud the United States by interfering with and obstructing the lawful governmental functions of the Social Security Administration and by fraudulently obtaining funds from a private long-term disability insurance provider, in that the defendant and others would make materially false representations about defendant's medical condition and ability to engage in physical activities.

- a. From on or about February 1, 1977 to on or about January 31, 2012, defendant was employed by Anheuser Busch In-Bev in the Eastern District of Missouri as an oiler.
- b. At all times relevant to this Information, un-indicted co-conspirator Doctor 1 represented to the public that his practice provided chiropractic, medical, and other health related services to the public. Doctor 1's practice is located in Jefferson County, Missouri.
- c. At all relevant times, Anheuser Busch In-Bev provided long-term disability insurance benefits to the defendant through Prudential Insurance Company of America (hereinafter referred to as "Prudential"), that entitled him to receive a payment of \$100,000.00 if he became totally disabled as a result of his employment.
- d. On or about February 11, 2014, defendant paid \$3,000.00 to Doctor 1 for his assistance in fraudulently obtaining disability benefit payments from the Social Security Administration.
- e. Beginning on or about February 6, 2014 and continuing to on or about February 21, 2019, Doctor 1 required defendant to undergo medical tests and treatments to bolster his application for federal disability insurance benefits through the Social Security Administration and long-term disability payments from Prudential Insurance Company of America, hereinafter referred to as "Prudential."
- f. Between on or about January 31, 2014 and continuing to on or about February 28, 2019, defendant traveled internationally approximately 10 times, fished, shoveled snow, and engaged in yardwork.
- g. For this same time period, defendant and Doctor 1 made and caused to be made false and fraudulent representations to the Social Security Administration and

Prudential concerning his medical condition. Specifically, the defendant and his co-conspirators falsely represented that defendant's medical condition impaired his ability to complete yardwork, engage in social activities between attending church no more than twice a month, lift, walk, reach, sit, bend, and bathe and dress without assistance.

- h. Beginning on or about February 21, 2014, defendant authorized Doctor 1 to submit medical insurance claims to defendant's medical insurance carrier, Blue Cross Blue Shield of Missouri.
- i. On or about May 7, 2014, with the assistance of Doctor 1 and unindicted co-conspirator 2 (a former Anheuser Busch In-Bev union representative), defendant submitted an application for disability insurance benefits through the Social Security Administration, falsely stating that he became totally disabled on February 1, 2014.
- j. On a date prior to August 4, 2014, defendant paid unindicted co-conspirator 2 approximately \$1500.00 for the assistance of unindicted co-conspirator 2 in helping him complete the Prudential long-term disability application.
- k. Based upon defendant's false statements and misrepresentations to the Social Security Administration and the false statements of Doctor 1, on August 4, 2014, defendant was deemed eligible for federal disability insurance benefit payments through the Social Security Administration.

- l. On a date after August 4, 2014, Doctor 1 informed defendant that defendant would need to continue to report for monthly visits so that Doctor 1 could help him with any subsequent reviews conducted by the Social Security Administration.
- m. Between on or about August 4, 2014 and continuing to on or about February 28, 2019, defendant fraudulently received in excess of \$125,000.00 in Social Security Administration disability insurance benefit payments.
- n. On or about August 4, 2014, defendant paid Doctor 1 \$3,000.00 for his assistance in fraudulently obtaining disability benefit payments from Prudential, Anheuser Busch In-Bev's long-term disability insurer.
- o. Based upon the medical attestations by Doctor 1 and the false and fraudulent long-term disability benefit application prepared by defendant, Doctor 1, and unindicted co-conspirator 2, on or about October 21, 2014, defendant received a disability benefit payment of \$100,000.00 through Prudential.

D. OVERT ACTS

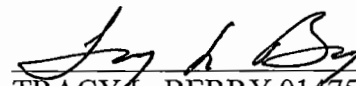
In furtherance of and to effect the objects of the conspiracy, one or more of the co-conspirators committed and caused to be committed one or more of the following overt acts in the Eastern District of Missouri and elsewhere.

- a. On or about January 8, 2016, defendant and Doctor 1 received payment from Blue Cross Blue Shield of Missouri based upon a fraudulently submitted medical claim; and,
- b. On or about November 21, 2018, defendant fraudulently obtained a disability insurance payment in the amount of \$2,282.00 from the Social Security Administration.

All in violation of Title 18, United States Code, Section 371.

Respectfully submitted,

JEFFREY B. JENSEN
United States Attorney

A handwritten signature in black ink, appearing to read "Tracy L. Berry", is written over a horizontal line.

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UNITED STATES OF AMERICA)
EASTERN DIVISION)
EASTERN DISTRICT OF MISSOURI)

I, Tracy L. Berry, Assistant United States Attorney for the Eastern District of Missouri,
being duly sworn, do say that the foregoing information is true as I verily believe.



TRACY L. BERRY

Subscribed and sworn to before me this 1st day of November, 2019.



CLERK, U.S. DISTRICT COURT

By: 

DEPUTY CLERK